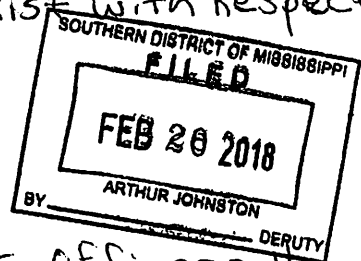


② Amended Complaint

Genuine Issues of Material Fact Exist with Respect to the Training of MDPC Officers



In light of the duties assigned to MDPC Officers, the need for more or different training is so obvious, given the facts, and the inadequacy so likely to result in the violation of constitutional rights, that the training deficiency exhibits a deliberate indifference on the part of MDPC Policymakers.

Alternatively, the Court may find deliberate indifference when a repeated pattern of constitutional violations makes "the need for further Training... plainly obvious to the MDPC policymakers."

Jenkins V. Bartlett, 487 F.3d 482, 492 (7th Cir 2007) (Emphasis added) (Citations omitted); Bornberger V City of Knoxville 434 F.3d 1006, 1029-30 (7th Cir 2006)

Here, the plaintiff points out the failure of adequate Training, i.) failure to act in response to repeated complaints of constitutional violations by it's officers") See, when adequate training is not provided, well, then sufficient become deny, and neglect set in, regardless, cause, this type untraining, could cause you your life or time, supports the Eighth "8" Amendment, Objective Component.

(3)

I am writing the Courts to let the Courts know, and be aware of the fact about letting them know what I or one have to go through or shouldn't have to go through this if MDOC would take the time and training there officer, Cause it was Officer Lillie Stewart fault I was injured at the hands of this certain officer, Cause she should not open my cell door and let them inmates injury me, I am still having head pain, short of wind, can't sleep at night, having thoughts of some one coming to do something to me. I do not think that this Officer Lillie Stewart had the right type of training cause she risked me, and my well being, even there life, I am showing the Courts how easy it is for our rights to be violated. Also the safety is at Risk, It need to be an indenpending investigation into MDOC

Smith VS. Wade, 461 U.S. 30, 75 LEd 2d 632, 103, 5CT 11625 (1983)

Thompson VS Dpeiu, 74 F3d 1492 (6th Cir 1996)

Generally, damages for emotional distress may be Awarded upon showing of intimidation, marital problems, weight loss, loss of sleep, shock, or humiliation"

(4)

I need for the courts to be aware of the fact that each defendant is responsible for me getting injured at East Mississippi Correctional Facility (EMCF) Warden Frank Shaw which is the Overseer of EMCF, Officer Lillie Stewart cause she almost costed me my health and, well being also could've been my life. Nurse Townsend cause she did not perform any treatment for (2 two) different wounds that was inflicted upon my body. NP Mrs. Smith cause did not do her job as a Nurse. Warden Of Security Norris Hogans cause he denied me my constitutional rights and my Due Process Rights under the (eighth 8) Amendment cause I spent 30 days in segregation being that I was deprived from my freedom of Religion Services. Loss of Privileges and quality of life in my prison Living Conditions; And Loss of the Limited Liberty enjoyed by Prisoners, Resulting from my segregation confinement, In that I was confined For [23] hours a day in a cell roughly 60 feet ~~SQUARE~~ **SQUARE**, and deprived of most of his personal property as well as the ability to work, attend educational, and vocational programs, Watch television, associate with other prisoners, attend Outdoor Recreation on 5 days at a times weekdays in a congregated setting with the ability to engage in sports, and other congregated Recreational activities,

5.

Attend meals with others, attend religious services
and whatever other privileges I may have lost.
I Plaintiff Kunta Kinta Harbin #13851 seeks
Punitive Damages against the defendant
Tony Donald which is the Unit Manager for his
Willful and Malicious Conduct. I would like
to make the courts aware of facts that I been
assaulted under the Supervision of the
Defendant Tony Donald. Cause I offender Kunta
Kinta Harbin #13851 was moved from EMCF Unit
6-Charlie Zone to EMCF Unit 6-ALPHA Cell #110
where was ensured by his word of mouth when I
the Plaintiff Kunta Kinta Harbin #13851 asked him
Unit Manager Tony Donald, And he said that wasn't
nothing going to happen to me over there on 6-ALPHA
So I did not have to Lockdown in my assigned Cell #
110 anymore. Now I still went on, and Locked down
anyways, My Cell ALPHA #110 was locked a couple
minutes before this conflict was inflicted upon
my body. Cause this conflict took place at 6-Alpha
cell #103 where I was being attacked by 4
different guys. His action caused me to suffer
with Hot Scalding Chemicals and Hot Water
to be thrown in my left side of my chest. Also I
the Plaintiff Kunta Kinta Harbin #13851 was
being jumped inside of 6-ALPHA Cell #103. Where
I was hollaring to the top of my Lungs for my Life

6.

For people to hear me yet did not no one come to help me until everything was done to me. I went into the dayroom area where I was followed by those same [4] four inmates. I was hollaring for help by the time help arrived on the scene. I was Bloody. And I was stabbed in the left Rib once [1], And I was stabbed in the left hand knuckle once [1] Also with happens to been a Sharp Object; And I was hit upside the Head with a Master Lock in this same conflict all because Unit Manger Tony Donald the Defendant failed to take the necessary Precaution to act on his Knowledge of a Substantial Risk of Serious Harm to me Kunta Kinta Harbin #1385) Which this is the reason [5] why my Eighth Amendment was violated. Cause me as a prisoner has the right to be free from Deliberate Indifference to my safety.

Hafer vs. Melo, 502 U.S. 21, 116 LEd 2d 301, 112 Sct 358 (1991) State Officials held subject to personal liability for damages Under 42 USCS § 1983 based on official Acts, where § 1983 actions were brought "against officials in their individual capacity."

② This is a constantly on going process that the Officials is violating The United States Constitutional Rights Amendment Eighth [8]. That this is a fact Cause

Salazar VS. City Of Chicago, 940 F.2d 233, 238 (7th Cir 1991) This Deliberate Indifference Standard Requires That The Officers In Question Actually Know Of The Risk Of Harm That They Are ~~Alleged~~^{cp} To Have Enhanced By Failing To Provide Medical Treatment. Which violates the Eighth [8] Amendment. I am explaining to the Courts and to the Magistrate Judge L.R Anderson that the Lillie Stewart at East Mississippi Correctional Facility (MTC) never had the right type of training; Cause her action caused me the Plaintiff Kunta Kinta Harbin #13851 my health and well being. That is how easy it is for our rights to be violated. Cause she was actually in the wrong for opening my cell door on Unit 6 - Alpha Cell #110. City Management Corp. VS USC Chemical CO INC, 43 F3d 244 (6th Cir 1994) These are the reasons why a repeated pattern of constitutional violations makes "the need for further Training... plainly obvious to the MODC policymakers," Supports the Eighth [8] Amendment objective Component. Cause I the Plaintiff Kunta Kinta Harbin #13851 Filed these Claims Under the Prisoner Litigation Reform Act (PLRA); about the conditions and violations that has been inflicted upon me; and my body under the Supervision of Warden Frank Shaw of E MCF (M.T.C)

⑧ Warden Frank Shaw which is the defendant in my case has been Sued when he was the Warden in Wilkinson Correctional County Facility (MTC) Cause he allowed prisoners to be stabbed, jumped on and some also to be killed; And also now he still a Warden at East Mississippi Correctional Facility (MTC) when he caused people to be hurt, and some to lose their life in Wilkinson County Correctional Facility (MTC) Cause even though I was taken to Segregation afterwards Those inmates that caused the unwanted pain toward me did not go to segregation or recieved a Rule Violation Report for they actions. At the time I did not know that they had not recieved any punishment until one of them came to segregation for something else. Cause he told me the Administration did not do nothing but locked Unit 6-Alpha down a few days and let them back out 3 days later. That is why I am asking the courts to be aware that it is indeed an Eighth Amendment violation, and the prison officials must: A. act with deliberate indifference to a prison condition that (B.) exposes a prisoner to an unreasonable risk of serious harm. Helling v. McKinney, 509 U.S. 25, 33 (1993) I am making it clear that I the Plaintiff Kunta Kinta Harbin #13851 Demand Judgement against the Defendant[s] in compensation and prutive damages in the sum of THREE MILLION TWO HUNDRED THOUSAND DOLLARS (\$3,200,000,00) IN THEIR OWN INDIVIDUAL OFFICIAL CAPACITY, AND THIS COMPLAINT IS SEEKING A TOTAL SUM OF SIXTEEN MILLION DOLLARS (\$16,000,000,00) WITH INTEREST EXPERT WITNESS FEES, ATTORNEY'S FEES AND COSTS AND FOR SUCH OTHER AND FURTHER RELIEF AS TO THIS COURT MAY SEEM JUST AND PROPER.

⑨ This is the reason why I the Plaintiff Kunta Kinta Harbin #13851 is asking for money damages cause in no type of way that [4] Four inmates should had been allowed to Assault me by Scalding me with Hot Water; and Chemicals, jumping on me; and being able to stab me with a Sharp Object also hitting me upside the Head with a Masterlock causeing me all this bodily harm without the officer Lillie Stewart and the officers that was in the Central Patrol Room at the time of the incident 6:30 p.m. March 27, 2017. Then did nobody come until everything had already happened to me by that time I was Bloody from Head To Toe. This is the reason [5] I am Suing the prison guard; and the Administrators in their individual capacity. That is why I the Plaintiff Kunta Kinta Harbin #13851 Cause Warden Frank Shaw is the Dverseer it's his Duty be sure that I was safe and Freed from deliberate indifference which is required by the Eighth Amendment [8]. Also the Unit Manger Tony Donald involvement came in this situation when he let me stayed on that same Unit 6 but only moved me across the hallway from where I was to 6-Alpha Cell #110. And it caused me pain and Suffering, Short of Wind, State of Shock, being paranoid thinking someone out to get, Also caused me to be on Psych Medications. Also Warden Norris Hogans involvement cause he deprived me of my rights and Due Process Rights causeing me, To suffer by being confined from a Healthy environment, And From educational and vocational programs. Religious Services, and whatever other priviledges I may have lost.

(10.)

I the Plaintiff Kunta Kinta Harbin #13851 mention in the beginning of this Lawsuit based on me filing this under Prisoner Litigation Reform Act (PLRA). That I am seeking for the Courts to take it upon consideration to get me out of these Hostile Environments; and have me moved to a B-Custody Facility where there is no violent going on somewhere close to Home which is Grenada County Mississippi. Cause I had been jumped on by Gang members everywhere that I been in this system. I been jumped in East Mississippi Correctional Facility; I been jumped on in Wilkinson County Correctional Facility which is (MTC) also; I had been jumped on September 12, 2014 in South Mississippi Correctional Institution which is Greene County Leakesville Mississippi by Gang members and they had my head swelled up 3 times as the size of a Basketball. I was in Mississippi State Penitentiary in Parchman Mississippi where I was jumped by Gang members there also. This is why I am asking the Courts to be aware of this; and take it upon Consideration; and see could they have me to a B-Custody Environment somewhere it is peaceful; and also non-violent going on that Facility; and my life being at Risk. Thank You for Your Help & Consideration. All of these prisons and Facility's that I have wrote down at the top of this paper is far too Corrupted; and the younger as all they do is jump on older guys like me and others.

I the plaintiff Declare that the Defendant [53] violated Plaintiff's Eighth Amendment rights when they failed to protect him from a known risk of assault and he was severely assaulted; Claims for Relief A. Failure to Protect The Defendant [53] Warden Frank Shaw E.T.A.L Unit Manager Manger Tony Donald the Defendants owed Plaintiff Kunta Kinta Harbin #13851 a duty of reasonable care to protect him from assaults by other prisoners. Defendant Tony Donald breached that duty by failing to provide protection when Plaintiff Kunta Kinta Harbin #13851 informed him of his fear of being assaulted. I declare Negligent Failure to Protect which the breach of duty resulted in serious physical and emotional injury and damages, This constitutes deliberate indifference and violates the Eighth Amendment. Relief Requested Wherefore, Plaintiff requests that this Court grant the following relief: Award compensatory damages for plaintiff's physical and emotional injuries, and punitive damages against each defendant; and Grant Plaintiff such other relief as it may appear Plaintiff is entitled to. Also being that LPN Kimberly Townsen, and NP Mrs. Smith did not perform the treatment that I supposed to recieved by not stitching my left hand knuckle up with stitches they lefted it untreated, and uncared for. Also those 2 Nurses Mrs. Smith, and LPN Kimberly Townsen did not treat the wound where I had got stabbed in the rib once [17]. This also constitutes Deliberate Indifference; and violated the Eighth Amendment, To serious Medical needs. This Concludes my Statements.

Certificate Of Service

This is to Certify That I, The Undersigned have This day and date via United States Mail, Postage pre-paid, A True And Correct Copy of The Following And Attached Instruments of the following:

U.S. District Court Clerk
501 E. Court Street
Suite 2.500
Jackson Ms, 39201

Kunta Kunta Harbin #13851
Central Mississippi Corr
Facility 88550 Area 1 R/C
Pearl Ms, 39288

Sworn To and Subscribed before me, This 19th day
of February, 2018

X 2; C; C

Notary Public

My Commission Expires: